MEMORANDUM

June 4, 2014

TO: Members of the Charter Schools Committee

FROM: Joseph W. Belluck, Chair, Charter Schools Committee

SUBJECT: Approval of Revisions to Merge Beginning with Children Charter School II (Brooklyn) into Community Partnership Charter School (Brooklyn)

Action Requested

The proposed resolution authorizes revisions of the charters of two not-for-profit charter school education corporations authorized by the Board of Trustees to permit them to merge into one of the corporations, Community Partnership Charter School, and permits certain amendments to the terms of operation of both schools to be operated by the successor education corporation.

Resolution

I recommend that the Charter Schools Committee adopt the following resolution:

WhereasBeginning with Children Charter School II, located in Brooklyn (the “Constituent Corporation”), desires to merge into Community Partnership Charter School (the “Education Corporation”), also located in Brooklyn, which would be the sole successor education corporation (the “Merger”); and

Whereas the Constituent Corporation and the Education Corporation further desire to amend the terms of operation of their charters such that both schools to be operated by the merged Education Corporation would have certain consistent policies and terms of operation (collectively, with the Merger, the “Proposed Changes in Program”); now, therefore, be it
Resolved that, pursuant to New York Education Law subdivisions 2853(1)(b-1) and 2852(7)(a), proposed revisions to: a) the charter of the Constituent Corporation to permit it to implement the Proposed Changes in Program; and b) the charter of the Education Corporation to implement the Proposed Changes in Program; be, and hereby are, approved; and, be it further

Resolved that the Charter Schools Committee finds: 1) the Proposed Changes in Program including each of the revisions set forth above needed to implement same, meet the requirements of Article 56 of the Education Law (and all other applicable laws, rules and regulations); 2) approval of the Proposed Changes in Program (together with the other terms of each education corporation’s charter) would permit the merged Education Corporation to operate in an educationally and fiscally sound manner; and 3) approval of the Proposed Changes in Program are likely to improve student learning and achievement and materially further the objectives of the New York Charter Schools Act of 1998 (as amended); and, be it further

Resolved that upon the Merger, the Education Corporation will be named “Community Partnership Charter School Education Corporation;” and be it further

Resolved that the SUNY Charter Schools Institute, be, and hereby is, directed to enter into proposed revisions to each education corporation’s charter, such proposed revisions to incorporate the terms and conditions of the Proposed Changes in Program and such assurances and terms as the Institute shall deem necessary and appropriate, and, thereafter to submit such revisions to the Board of Regents for its review, comment and potential approval.

Background

Pursuant to Resolution No. 2012-038 dated June 12, 2012, the Board of Trustees delegated authority to revise charters to the Charter Schools Committee.

The SUNY Charter Schools Institute (the “Institute”) determined that the changes set forth in this resolution require revisions of the charters of all of the education corporations involved in the proposed merger pursuant to Education
Law subdivision 2852(7), which must be approved by the Board of Trustees in its capacity as a “charter entity” under the New York Charter Schools Act of 1998 (as amended, the “Act”). Pursuant to New York Education Law § 2857(1), the Institute notified the school district of location of the charter schools regarding the receipt of applications for charter revision (copies on file in the Albany Office of the Institute). As of May 22, 2014 the Board of Trustees did not receive any comments in response.

If the Charter Schools Committee approves this resolution, the merged Community Partnership Charter School Education Corporation (the “Education Corporation”) would ultimately operate two K-8 chartered schools under the governance of one board of trustees. At the end of the term of authority to operate Beginning with Children Charter School II, the merged education corporation would serve approximately 750 students.


Community Partnership Charter School consistently outperforms its local school district (Community School District 13) in English language arts (“ELA”) and math and regularly meets its ELA and math accountability goals. The school’s ELA effect sizes are positive over the last 4 years. In math, the school’s effect sizes have exceeded the Institute’s standard for the past 4 years. The school posted ELA growth scores that exceed the state median growth score during 2011-12 and 2012-13; it posted math scores exceeding the state’s median growth during 2009-10 through 2011-12, but not during 2012-13. The school effectively uses data from interim assessments to monitor student progress. In addition, the school has well-designed processes to support students with disabilities (“SWDs”) and English language learners (“ELLs”).

As Beginning with Children Charter School II opened with grades K-1 and currently serves K-2, it has generated no current state assessment academic data, which commences with 3rd grade. The 1st year Institute visit found the school regularly used assessment and evaluation data to adjust instruction and the curriculum supported teachers in their planning and delivery of instruction in most subjects. The Institute found evidence of adequate instruction in classrooms but that the school was still in the process of developing an instructional leadership system. Finally, the Institute found that the school addressed the educational needs of ELLs and SWDs but had to work on systems to effectively meet the needs of other at-risk groups.
The Institute reviewed the academic program elements (including enrollment projections, curriculum and staffing), policies, and budgets to be affected by the requested charter revisions and found them satisfactory. The Institute also reviewed the proposed revisions from the legal and fiscal perspectives and finds them suitable under the Act and applicable law. Therefore, the Institute recommends the Charter schools Committee approve the requested merger.

If the Charter Schools Committee approves the resolution, the revisions effectuating the merger must be submitted to the Board of Regents for action pursuant to the Act. If approved by the Board of Regents or by operation of law the merger would not be effective until the date set forth in the plan of merger (July 1, 2014) or, if approved later, the date of the next succeeding start of a fiscal quarter.